

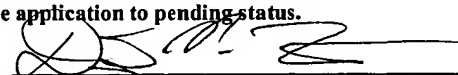
FORM PTO 1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER CWRU-P03-015
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/505400
INTERNATIONAL APPLICATION NO. US03/05032	INTERNATIONAL FILING DATE 19 February 2003	PRIORITY DATE CLAIMED 19 February 2002	
TITLE OF INVENTION ALKYLATING AGENT COMBINATIONS IN THE TREATMENT OF CANCER			
APPLICANT(S) FOR DO/EO/US Gerson et al.			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☒ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Return Receipt Postcard

U.S. APPLICATION NO. 207505400 (If known, see 37 CFR 1.51)	INTERNATIONAL APPLICATION NO. US03/05032	ATTORNEY'S DOCKET NUMBER CWRU-P03-015																												
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		CALCULATIONS PTO USE ONLY <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 100.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	\$ 100.00		\$																									
\$ 100.00																														
\$																														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>31-20 =</td> <td>11</td> <td>x 18.00</td> </tr> <tr> <td>Independent claims</td> <td>3-3 =</td> <td>0</td> <td>x 0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+ 290.00</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	31-20 =	11	x 18.00	Independent claims	3-3 =	0	x 0	MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+ 290.00	TOTAL OF ABOVE CALCULATIONS =				<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 198.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$ 0.00</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$ 290.00</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$ 390.00</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	\$ 198.00		\$ 0.00		\$ 290.00		\$ 390.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																											
Total claims	31-20 =	11	x 18.00																											
Independent claims	3-3 =	0	x 0																											
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+ 290.00																											
TOTAL OF ABOVE CALCULATIONS =																														
\$ 198.00																														
\$ 0.00																														
\$ 290.00																														
\$ 390.00																														
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$																											
\$																														
SUBTOTAL =		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 195.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$ 195.00																											
\$ 195.00																														
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$																											
\$																														
TOTAL NATIONAL FEE =		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 195.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$ 195.00																											
\$ 195.00																														
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$																											
\$																														
TOTAL FEES ENCLOSED =		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 195.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> </table>	\$ 195.00																											
\$ 195.00																														
		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Amount to be refunded:</td> <td style="width: 40%; border-bottom: 1px solid black;">\$</td> </tr> <tr> <td style="border-bottom: 1px solid black;">charged:</td> <td style="border-bottom: 1px solid black;">\$</td> </tr> </table>	Amount to be refunded:	\$	charged:	\$																								
Amount to be refunded:	\$																													
charged:	\$																													
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>18-1945</u> in the amount of \$ <u>195.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-1945</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																														
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																														
SEND ALL CORRESPONDENCE TO: Anita Varma ROPES & GRAY LLP One International Place Boston, Massachusetts 02110-2624 (617) 951-7796 CUSTOMER NUMBER: 28120																														
<div style="display: flex; justify-content: space-between;"> <div> SIGNATURE:  David P. Halstead, Ph.D. NAME 44,735 REGISTRATION NUMBER </div> </div>																														

Application No. (if known): Not Yet Assigned

Attorney Docket No.: CWRU-P03-015

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV543596725US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on 19 August 2004
Date


Signature

Mary Jane DiPalma
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pages)
Application Data Sheet (2 pages)
Preliminary Amendment (9 pages)
Copy of PCT/US03/05032 (104 pages)
This Express Mail Certificate (1 page)
Charge 195.00 to Deposit Account No. 18-1945
Return receipt postcard